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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,205	12/30/2003	Yong-Soo Kim	11038-161-999	1858

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EXAMINER

LUGO, CARLOS

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/749,205

Applicant(s)

KIM, YONG-SOÖ

Examiner

Carlos Lugo

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. An information disclosure statement (IDS) was submitted by the applicant on December 30, 2003. In the IDS, the applicant point out two references: JP 2000-118238 and JP 2003-10797. The examiner considered the JP 2000-118238 reference, however, the JP 2003-10797 was not considered because the reference does not have any connection with the applicant's invention. The reference is related to a lens cleaning method and the current application is related to a tailgate handle assembly.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The

Art Unit: 3676

disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because of the phrase "is disclosed" in line 1. Correction is required. See MPEP § 608.01(b).

Claim Objections

4. **Claims 1 and 5 are objected** to because of the following informalities:
 - Claim 1 Line 6, change "bucket" to -bracket-.
 - Claim 5 Line 2, change "extends to a horizontal part" to -extends into a horizontal part of said handle bracket-.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 1 is rejected** under 35 U.S.C. 103(a) as being unpatentable over JP 2000-118238 (JP '238) in view of US Pat No 6,523,869 to Jensen et al (Jensen).

Regarding claim 1, JP '238 discloses a handle apparatus comprising a handle bracket (where the handle 22 is mounted), a handle (22) and a link mechanism (20 and 25-27). However, JP '238 fails to disclose the use of a bracket mounting part so as to engage the handle bracket to the mounting bracket part instead to the interior of the door.

Jensen teaches that it is well known in the art to have a handle (26) mounted to a handle bracket (20) and the handle bracket mounted to a bracket mounting part (18).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the handle bracket mounted to a bracket mounting part, as taught by Jensen, into a device as described by JP '238, in order to support the handle bracket to the inside of the panel.

7. **Claim 2 is rejected** under 35 U.S.C. 103(a) as being unpatentable over JP 2000-118238 (JP '238) in view of US Pat No 6,523,869 to Jensen et al (Jensen) as applied to claim 1 above, and further in view of US Pat No 6,240,754 to Petersen.

JP '238, as modified by Jensen, discloses that the bracket mounting part protrudes vertically upwards from the upper portion of the lower panel. However, the combination fails to disclose that the handle bracket is fixedly abutted to the bracket mounting part with a nut part. Jensen teaches a different method to secure the handle bracket to the bracket mounting part (using 96 and 98).

Petersen teaches that it is well known in the art to have a handle bracket (14) that has a nut part (Figure 4a) that receives a bolt (32) in order to secure the handle bracket to the bracket mounting part.

It would have been obvious to one having ordinary skill in the art to have a nut part, as taught by Petersen, into a device as described by JP '238, as modified by Jensen, in order to facilitate the engagement of the brackets.

8. **Claims 3 and 4 are rejected** under 35 U.S.C. 103(a) as being unpatentable over JP 2000-118238 (JP '238) in view of US Pat No 6,523,869 to Jensen et al (Jensen) as applied to claim 1 above, and further in view of US Pat No 6,017,067 to Yoneyama et al (Yoneyama).

JP '238, as modified by Jensen fails to disclose that the link mechanism comprises a rotating plate, a handle side rod and a latch side rod. JP '238 discloses that the link mechanism includes at least a handle side rod (20) and a rotating plate (25) that is connected to the latch (by means of 26 and 27).

Yoneyama teaches that it is well known in the art to have a link connection between the handle and the latch that has a rotating plate (21), a handle side rod (27) and a latch side rod (24). The rotating plate has an L-shape.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a link mechanism from the handle to the latch, as taught by Yoneyama, into a device as described by JP '238, as modified by Jensen, in order to provide a simple mechanism between the handle and the latch so as to move the latch from a lock to an unlatch position.

Allowable Subject Matter

9. **Claim 5 is objected** to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 6 and 7 would also be allowed because the claims depend from claim 5.

Reasons For Allowable Subject Matter

10. The following is an examiner's statement of reasons for allowable subject matter:

Claim 5 presents allowable subject matter over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the nut part extends into a horizontal part of the handle bracket and that the handle bracket comprises a panel connector that engages the lower end of the upper panel.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 703-305-9747. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

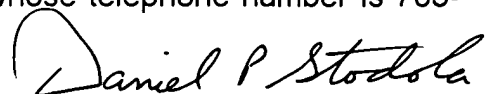
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

CL

Carlos Lugo

Art 3676

Feb 16, 2005



DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600